

HUMAN SERVICES DEPARTMENT[441]

Adopted and Filed Emergency

Pursuant to the authority of Iowa Code section 234.6, the Department of Human Services amends Chapter 152, "Foster Group Care Contracting," Iowa Administrative Code.

This amendment increases the reimbursement rates for foster group care service providers by 1.31 percent over the rates in effect on June 30, 2010. Legislation in 2010 Iowa Acts, House File 2531, provides for partial restoration of the reimbursement rates that were reduced as a result of Executive Order 19, which were implemented through amendments published in the Iowa Administrative Bulletin on January 13, 2010, as **ARC 8449B**.

This amendment does not provide for waivers in specified situations since the amount of the increase is controlled by legislative appropriation.

The Council on Human Services adopted this amendment on June 9, 2010.

The Department finds that notice and public participation are unnecessary because the amount of the increase is set by statute and are impracticable because 2010 Iowa Acts, House File 2531, directs the Department to make this increase effective on July 1, 2010. Therefore, this amendment is filed pursuant to Iowa Code section 17A.4(3).

The Department also finds that this amendment confers a benefit on the affected providers by increasing reimbursement rates. Therefore, this amendment is filed pursuant to Iowa Code section 17A.5(2)"b"(2), and the normal effective date of the amendment is waived.

This amendment is intended to implement Iowa Code section 234.6 and 2010 Iowa Acts, House File 2531, section 83(5).

This amendment shall become effective on July 1, 2010.

The following amendment is adopted.

Amend paragraph **152.3(1)"h"** as follows:

h. Once a negotiated rate is established, it shall not be changed or renegotiated, except in the following circumstances:

(1) Rates may be changed when funds are appropriated for an across-the-board increase. For the fiscal year beginning July 1, 2010, the reimbursement rates for foster group care service providers shall be increased by 1.31 percent over the rates in effect on June 30, 2010.

(2) Rates may be changed by mandated across-the-board decreases. ~~Effective for the period from January 1, 2010, to June 30, 2010, the negotiated reimbursement rates for foster group care shall be decreased by 5 percent of rates in effect on December 31, 2009.~~

[Filed Emergency 6/10/10, effective 7/1/10]

[Published 6/30/10]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 6/30/10.